

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JEFF WALBY DDS PC,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No. 18-13168
Hon. Terrence G. Berg

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on Magistrate Judge Mona K. Majzoub's March 7, 2019 Report and Recommendation (ECF No. 14) recommending that Plaintiff Jeff Walby DDS PC's complaint be dismissed under Rule 41(b) of the Federal Rule of Civil Procedure for failure to comply with the Magistrate Judge's November 13, 2018 order requiring Plaintiff to retain counsel. The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendations. 28 U.S.C. § 636(b)(1). As of this date, neither party has filed any objections to Magistrate Judge Majzoub's Report and Recommendation.

The district court will make a “*de novo* determination of those portions of the report . . . to which objection is made.” *Id.* Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149–52 (1985). Nevertheless, the Court has reviewed the Magistrate Judge’s Report and Recommendation of March 7, 2019 and will accept it as this Court’s findings of fact and conclusions of law.

Accordingly, it is hereby **ORDERED** that Magistrate Judge Majzoub’s Report and Recommendation of March 7, 2019 (ECF No. 14) is **ACCEPTED** and **ADOPTED**. Accordingly, it is further ordered that Plaintiff Jeff Walby DDS PC’s complaint is **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED.

Dated: March 29, 2019

s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that this Order was electronically submitted on March 29, 2019, using the CM/ECF system, which will send notification to all parties.

s/A. Chubb
Case Manager